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The Commonwealth of Massachusetts

ANNUAL REPORT

OF THE

COMMISSIONER

OF

STATE AID AND PENSIONS

FOR THE

YEAR ENDING NOVEMBER 30, 1928.



The Commonwealth of Massachusetts

Office of the Commissioner of State Aid and Pensions,
State House, Boston, January 3, 1929.

To the Honorable Senate and the House of Representatives:

In compliance with the requirements of Chapter 115, Section 2, General Laws, I present herewith to your honorable bodies the annual report of the Department of State Aid and Pensions, the part relating to State and Military Aid and Burials being for the year 1927, and that referring to pensions covering the year 1928.

Very respectfully,

RICHARD R. FLYNN,
Commissioner.

REPORT

State and Military Aid and Burial Expenses.

The expenditures on account of State and Military Aid to soldiers, sailors and marines of the Civil and Spanish Wars, the Philippine Insurrection, the Mexican Border Service and the War with Germany, and their dependents, and for the burials of soldiers, sailors and marines of the Civil and Spanish Wars, the Philippine Insurrection, Indian Campaigns, Mexican Border Service, and the War with Germany, and their wives, widows, and dependent fathers and mothers, and army nurses, by 299 cities and towns in the Commonwealth during the year 1927,—reimbursement being due and payable to the disbursing municipalities on or before November 10, 1928,—were as follows:

State Aid to soldiers and dependents, Civil War	\$156,844.00
State Aid to soldiers and dependents, War with Spain	14,007.00
State Aid to soldiers and dependents, Philippine Service	1,360.50
State Aid to soldiers and dependents, German War Service	5,709.00
Military Aid to soldiers and sailors, Civil War	1,695.00
Military Aid to soldiers and sailors, War with Spain	4,099.50
Military Aid to soldiers and sailors, Philippine Service	597.00
Military Aid to soldiers and sailors, Mexican Border Service	961.00
Military Aid to soldiers and sailors, German War Service	28,814.95
Burial expenses of soldiers and their dependents	4,741.55
Total for 1927	\$218,829.50

STATE AID.

The total number of State Aid recipients, Civil War, for 1927, was 2519, classified as follows:—

Soldiers, 493; decrease, 147.
Wives, 9; decrease, 3.
Widows, 1999; decrease, 295.
Mothers, 1; increase, 1.
Children, 17; decrease, 2.
Total, 2519.

Net decrease of recipients during 1927, 446.

Average cost to State per person aided, \$62.26+.

The total number of State Aid recipients, Spanish War, for 1927, was 219, classified as follows:—

Soldiers, 43; increase, 1.
 Wives, 2; increase, 1.
 Widows, 144; decrease, 18.
 Mothers, 29; increase, 3.
 Army nurses, 1.
 Total, 219.

Net decrease of recipients during 1927, 13.

Average cost to State per person aided, \$63.95+.

The total number of State Aid recipients, Philippine Insurrection Service, for 1927, was 28, classified as follows:—

Soldiers, 12; increase, 3.
 Widows, 13; increase, 1.
 Mothers, 3; increase, 1.
 Total, 28.

Net increase of recipients during 1927, 5.

Average cost to State per person aided, \$48.58+.

The total number of recipients of State Aid, War with Germany, for 1927, was 101, classified as follows:—

Soldiers, 9; increase, 1.
 Wives, 1.
 Widows, 50; increase, 4.
 Mothers, 11; decrease, 2.
 Fathers, 1.
 Children, 28; increase, 2.
 Army nurses, 1; decrease, 1.
 Total, 101.

Net increase of recipients during 1927, 4.

Average cost to State per person aided, \$56.52+.

MILITARY AID.

Military Aid to the amount of \$36,167.45, a decrease of \$3,810.99 from 1926, was disbursed as follows:—

Civil War soldiers, 14; decrease, 9.
 Spanish War soldiers, 54; decrease, 28.
 Philippine Insurrection soldiers, 12.
 Mexican Border Service soldiers, 8; decrease, 3.
 German War soldiers, 295; decrease, 63.
 German War army nurses, 0.
 German War Yeoman F., 0; decrease, 1.

CIVIL WAR:—Amount expended, classes 1 and 2 . . . \$1,695.00
 Average cost to State per person aided, \$121.07+.

Amount expended, Classes 3 and 4, none.

SPANISH WAR:—Amount expended, classes 1 and 2 . . . \$3,889.50
 Average cost to State per person aided, \$73.38+.

Amount expended, classes 3 and 4 . . . \$210.00
 Average cost to State per person aided, \$210.

PHILIPPINE SERVICE:—Amount expended, classes 1 and 2 . . . \$597.00
 Average cost to State per person aided, \$49.75.

Amount expended, Classes 3 and 4, none.

MEXICAN BORDER SERVICE:—Amount expended, classes 1 and 2 . . . \$961.00
 Average cost to State per person aided, \$120.12+.

Amount expended, Classes 3 and 4, none.

GERMAN WAR SERVICE:—Amount expended, classes 1 and 2 . . . \$28,814.95
 Average cost to State per person aided, \$97.67+.

Amount expended, Classes 3 and 4, none.

Total . . . \$36,167.45

Burial Expenses of Soldiers, Sailors and Marines, their Wives, Widows, Dependent Mothers and Fathers, and Army Nurses, under Sections 19 to 21, Chapter 115, General Laws, as amended by Chapters 262 and 266, Acts of 1924, and Chapter 155, Acts of 1926, and Chapter 226, Acts of 1927.

During the year 1927, 76 claims were approved at an expense to the Commonwealth of \$4,741.55, classified as follows:—

Civil War:—

Soldiers, 22; decrease, 12.

Wives, 2; increase, 2.

Widows, 46; increase, 12.

Total, 70.

Spanish War:—

Soldiers, 2; decrease, 11.

Wives, 1; increase, 1.

Widows, 0.

Mothers, 0; decrease, 1.

Total, 3.

Philippine Insurrection:—

Soldiers, 0; decrease, 2.

Total, 0.

German War:—

Soldiers, 3; increase, 2.

Total, 3.

Indian Campaigns:—

Soldiers, 0; decrease, 1.

Net decrease during 1927, 10.

Average burial cost to State per person, \$62.38+.

This department continues to receive the same excellent co-operation from the U. S. Veterans' Bureau at Washington, D. C., and their regional office in Boston. There is no doubt of the great benefit this co-operation has been to the veterans and their dependents, and it also prevents an overlapping or duplication of work by our respective offices.

The medical and Home Service sections of the U. S. Naval Hospital in Chelsea, U. S. Veterans' Hospitals in West Roxbury, Rutland, Bedford and Northampton have been extremely helpful in the matter of medical advice and histories concerning applicants under their care seeking Military Aid and who are not in receipt of Government compensation.

TOTAL PAYMENTS OF STATE AID.

The total payments by the Commonwealth for State and Military Aid and burial of indigent soldiers and sailors, including appropriations made by the General Court toward maintenance and improvements of the Soldiers' Home in Massachusetts, and on account of special laws, from 1861 to the close of 1927, were		\$50,690,277.78
State and Military Aid and burial of soldiers and sailors on account of 1927, paid in 1928		218,811.50
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		\$50,909,089.28
Less refunds on account of payments of previous years		366.00
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		\$50,908,723.28
Special Laws, 1928	7,767.54	
Soldiers' Home, 1928	190,000.00	197,767.54
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Total November 30, 1928		\$51,106,490.82

BOUNTIES AND GRATUITIES.

Total payments of bounties on account of soldiers in Civil War to date	\$17,872,859.82	
Gratuities (Acts 1912, Ch. 702; Acts 1913, Chapters 105 and 443)	572,250.00	
Gratuities (General Acts 1919, Chapters 283 and 342)	18 511,292.21	36,956,402.03
Total November 30, 1928		\$88,062,892.85

Prior to the passage of Chapter 255, Acts of 1928, World War widows were not eligible to receive State Aid unless they were married to their soldier husbands before July 1, 1919. It was found that many of these widows could not draw State Aid because they were married after that date. The above-designated chapter changed the date prior to which a World War widow must have been married to her soldier husband to be eligible from July 1, 1919, to January 1, 1928. Many worthy cases have been aided since the passage of this law, and are now enjoying its benefits. I deem it advisable to print this chapter below.

CHAP. 255.

AN ACT EXTENDING THE BENEFITS OF STATE AID TO CERTAIN WIDOWS OF WORLD WAR AND OTHER VETERANS.

Chapter one hundred and fifteen of the General Laws, as amended in section seven by section three of chapter two hundred and twenty-two of the acts of nineteen hundred and twenty-one, by chapter two hundred and twenty-nine of the acts of nineteen hundred and twenty-two and by chapter two hundred and eighty of the acts of nineteen hundred and twenty-four, is hereby further amended by striking out said section seven and inserting in place thereof the following:—*Section 7.* The wife of a discharged soldier or sailor shall not be held to belong to any of the foregoing classes, nor shall she receive state aid unless, if the service of the soldier or sailor was in the war with Spain, the Philippine Insurrection or the China Relief Expedition, she was married to him before his final discharge from such service, and, if his widow, before April eleventh, nineteen hundred and fifteen, and if his service was in the civil war unless she was, if his wife, married to him prior to his final discharge from such service, and, if his widow, prior to June twenty-seventh, eighteen hundred and ninety, and if the service of the soldier or sailor was on the Mexican border or in the world war unless she was, if his wife, married to him prior to his final discharge from the service or release from active duty therein, and, if his widow, prior to January first, nineteen hundred and twenty-eight.

(The foregoing was laid before the governor on the seventeenth day of April, 1928, and after five days it had "the force of a law," as prescribed by the constitution, as it was not returned by him with his objections thereto within that time.)

Chapter 280, Acts of 1928, provides for the expenditure by the Commissioner of State Aid and Pensions of interest on the so-called Unpaid Check Fund accruing from money that was reimbursed to the Commonwealth of Massachusetts by the Government as pay due under the Act of March 3, 1899, for the period from the date the soldier reported for duty and date of enrollment to date of muster into the Service for War with Spain. Approximately \$8000 of this money remains unexpended by reason of the fact that veterans eligible for same have died or were never acquainted with the transaction so that advantage could be taken of it. Up to the present time no demands have been made on this fund by veterans of the Spanish-American War. This, however, is probably due to the fact that our State and Military Aid and Soldiers' Relief laws function so well, and it is not likely that we will have many claims of an emergency nature. This act is printed below.

CHAP. 280.

AN ACT ESTABLISHING THE SPANISH AMERICAN WAR REIMBURSEMENT FUND AND PROVIDING FOR THE PAYMENT OF INTEREST ACCRUING ON SAID FUND TO THE COMMISSIONER OF STATE AID AND PENSIONS.

SECTION 1. So much of the principal of the Unpaid Check Fund, established as a result of the provisions of section one of chapter four hundred and eighty-seven of the acts of nineteen hundred and six, as represents the balance now on hand of the sum of eighty-eight hundred and twenty-six dollars and fifty cents originally deposited in said fund about December fifteenth, nineteen hundred and sixteen, and representing the unpaid balance of reimbursement to certain soldiers who served in the Spanish American war, is hereby diverted from said fund and made a separate fund, to be called the Spanish American War Reimbursement Fund.

SECTION 2. The fund established by the preceding section shall be safely invested by the state treasurer. All valid claims presented by persons entitled to any portion of such fund shall hereafter be paid by the said treasurer out of the principal thereof. The interest accruing on such fund shall be paid without special appropriation to the commissioner of state aid and pensions upon requisition by him, to be expended by him for the sole purpose of aiding worthy indigent veterans of the Spanish American war.

(The foregoing was laid before the governor on the twenty-sixth day of April, 1928, and after five days it had "the force of a law," as prescribed by the constitution, as it was not returned by him with his objections thereto within that time.)

PERSONNEL

On August 13, 1928, Rufus D. Kilgore, Civil War veteran and Investigator in this Department, was retired, at his own request, by reason of disability, under the provisions of Chapter 32, section 49, of the General Laws. Mr. Kilgore rendered faithful service to the Commonwealth.

Mr. George A. Hanna, a Spanish War veteran and Field Investigator in this office, was obliged, by reason of disability, to seek retirement under Chapter 32, section 56, of the General Laws, as amended by Chapter 26, Acts of 1922. The retirement took effect on September 23, 1928. Mr. Hanna was a conscientious employee, and gave the Commonwealth good and faithful service.

Col. Frank P. Williams, Chief Surgeon of the Commonwealth, and his office assistants, have continued the same excellent service that we have received from them in the past. The examinations of Military Aid applicants have given us the proper understanding as to the degree and nature of disabilities so as to enable us to reach proper decisions with reference to the amount of aid that should be paid in individual cases. Col. Williams' examinations have been of assistance in giving us a better knowledge of the ailments of Civil and Spanish War veterans seeking United States pensions, thereby enabling this Department to present the disability claims more clearly to the United States Pension Department.

Our Agents made 5,300 house calls on veterans and their dependents; 700 applicants were visited at Veterans' Hospitals within the State; 451 Soldiers' Relief appeals were received from aggrieved veterans and their dependents, and 40 visits were made at homes to execute pension papers where the veteran or the widow was physically unable to visit this office.

There has been a decided increase in the number of Soldiers' Relief appeals. Under the provisions of sections 17 and 18 of Chapter 115 of the General Laws, this Department is obliged to cause an investigation to be made and render a decision. Apparently our determinations in these cases have proved satisfactory.

PENSION DEPARTMENT

The following is a statement in detail of the pension work of this office for the year ending December 31, 1928:—

Classification of Claims filed during the Year.

Soldiers (General Law), Original	29
Soldiers (General Law), Increase	11
Soldiers (Act May 1, 1920), Civil War, Original	1
Soldiers (Act May 1, 1920), Civil War, Increase	56
Soldiers (Act July 3, 1926), Civil War, Increase	18
Soldiers (Act May 1, 1926), Spanish War, Original	494
Soldiers (Act May 1, 1926), Spanish War, Increase	505
Nurses (Act May 1, 1926), Spanish War	1
Soldiers (Act March 3, 1927), Indian Wars	18
Widows (General Law).	14
Widows (Act May 1, 1920), Civil War	95
Widows (Act July 3, 1926), Civil War	2
Widows (Act May 1, 1926), Spanish War	76
Widows (Act March 3, 1927), Indian Wars	9
Widows (Accrued Pension)	15
Wives (Act March 3, 1899), One-half pension	5
Mothers	4
Helpless children	3
Guardians	12
Reimbursement	60
Unendorsed Checks	11
New pension certificate	1
Certificate in lieu of lost discharge	2
Application for change of name	2
Total	1444
Number of claims allowed	1101
Number of claims rejected	439
Amount collected	\$152,222.79

In addition to the above, we are often called upon to execute affidavits for persons who have filed pension claims through other attorneys, and to advise as to the method of procedure in order to complete the cases, all of which does not appear in the above summary or in our office records. This department is maintained primarily for soldiers, sailors and their dependents having a residence in the Commonwealth of Massachusetts. A great many inquiries regarding United States pension laws are received from persons residing in other States, however, and prompt and careful attention is given every communication. We execute vouchers in cases where payment is made to the guardian or conservator, and also in cases in which the pension is divided between the soldier and his wife. These vouchers are executed on or after the fourth of each month. A number of Civil War claims for increase of pension to \$90 per month have been received. In cases where the pensioner is in receipt of \$72 per month no formal application is required, but a request for the \$90 rate accompanied by medical evidence showing that the claimant is totally helpless or blind must be forwarded to the Pension Bureau. In relation to the above, the words "totally helpless" mean inability to feed oneself, to sit up, put on or take off a garment, or walk at all; in short, a bedridden or equally disabling condition. There is no expense to the claimants for prosecution of claims, blanks or postage.

The only pension legislation enacted by Congress during the last year was the Act of May 23, 1928, increasing pensions of widows of the civil war who had reached the age of seventy-five years from \$30 to \$40 per month. The above law has occasioned more than the usual number of inquiries concerning pensions during the year, necessitating much correspondence.

I deem it advisable to print a copy of this act which was approved May 23, 1928:—

AN ACT GRANTING PENSIONS AND INCREASE OF PENSIONS TO WIDOWS AND FORMER WIDOWS OF CERTAIN SOLDIERS, SAILORS, AND MARINES OF THE CIVIL WAR, AND FOR OTHER PURPOSES.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the widow or former widow of any person who served in the Army, Navy, or Marine Corps of the United States during the Civil War for ninety days or more, and was honorably discharged from all contracts of service, or regardless of the length of service was discharged for disability incurred in service and in the line of duty, such widow or former widow having been married to the soldier, sailor, or marine prior to the 27th day of June, 1905, who is now or may hereafter attain the age of 75 years and is pensioned as such widow or former widow under the general pension law, or whose name may hereafter be placed on the pension roll under existing laws, shall be paid a pension at the rate of \$40 a month, but nothing in this Act shall be construed as decreasing the rate of pension granted by any other Act.

SEC. 2. That the pension or increase of the rate of pension herein provided for, as to all persons whose names are now on the pension roll, or who are now in receipt of a pension under existing law, shall commence at the rate herein provided, on the fourth day of the month next after the approval of this Act; and as to persons whose names are not now on the pension roll, or who are not now in receipt of a pension under existing law but who may be entitled to a pension under the general pension laws, such pensions shall commence from the date of filing application therefor in the Bureau of Pensions after the approval of this Act in such form as may be prescribed by the Secretary of the Interior: *Provided*, That the issue of a check in payment of a pension for which the execution and submission of a voucher was not required shall constitute payment in the event of the death of the pensioner on or after the last day of the period covered by such check, and it shall not be canceled, but shall become an asset of the estate of the deceased pensioner.

SEC. 3. That no claim agent, attorney or other person shall demand, receive or accept fees or compensation for the presentation or preparation of any such claim for increase in pension under this Act, or be recognized as agent or attorney in the prosecution or adjudication of a claim for increase under this Act, and any such person who shall violate any of the provisions of this section, or wrongfully withholds from a pensioner the whole or any part of the pension allowed or due a pensioner under this Act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall, for each and every offense, be fined not to exceed \$500 or imprisonment not to exceed one year, or both, in the discretion of the court.

SEC. 4. That all Acts and parts of Acts in conflict with or inconsistent with the provisions of this Act are hereby modified and amended only so far and to the extent herein specifically provided and stated. (*Approved, May 23, 1928.*)

The thanks of this department are again due Honorable Winfield Scott, United States Commissioner of Pensions, and his entire office staff for promptness in replying to inquiries and for the many courtesies extended in the prosecution of pension claims.